



Public Notice

Applicant:

Burlington Group,
Incorporated

Date:

Published: Dec. 29, 2000
Expires: Jan. 28, 2001

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-CO-R RE: 2000-00786(1)** **Section: OH 404**

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

The Burlington Group, Incorporated, c/o Jerry Petersen, Village Station, 401 South Street, Chardon, Ohio 44024, has applied for a Department of the Army Permit to place fill in wetlands and unnamed tributaries to the Chagrin River. The project is located northeast of the intersection of Wilson Mills Road and Thwing Road, in the City of Chardon, Geauga County, Ohio.

Department of the Army authorization is required to place fill in 1.71 acres of wetland and 2,001 linear feet of stream (1,551 feet of ephemeral stream and 450 feet of intermittent and perennial stream) in conjunction with the construction of the infrastructure for Hidden Glen Subdivision. The purpose of the fill is to construct one access road, four cul-de-sacs, and driveways to 143 lots within the development.

To mitigate the impacts, the applicant is proposing to place a conservation easement on approximately 21 acres within the subdivision parcel containing 6,518 linear feet of stream and 1.48 acres of wetlands (Sheet 9 of 9).

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Mark T. Lesinski, who can be contacted by calling (440) 437-5840, or by e-mail at: Mark.Lesinski@lrb01.usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the work proposed may affect one species proposed or designated by the U.S. Department of the Interior as threatened or endangered, and it may affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, Orwell Field Office, 33 Grand Valley Avenue, Orwell, Ohio 44076, and should be marked to the attention of Mark T. Lesinski, or by e-mail at: Mark.Lesinski@lrb01.usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

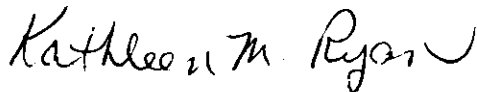

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.


 Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

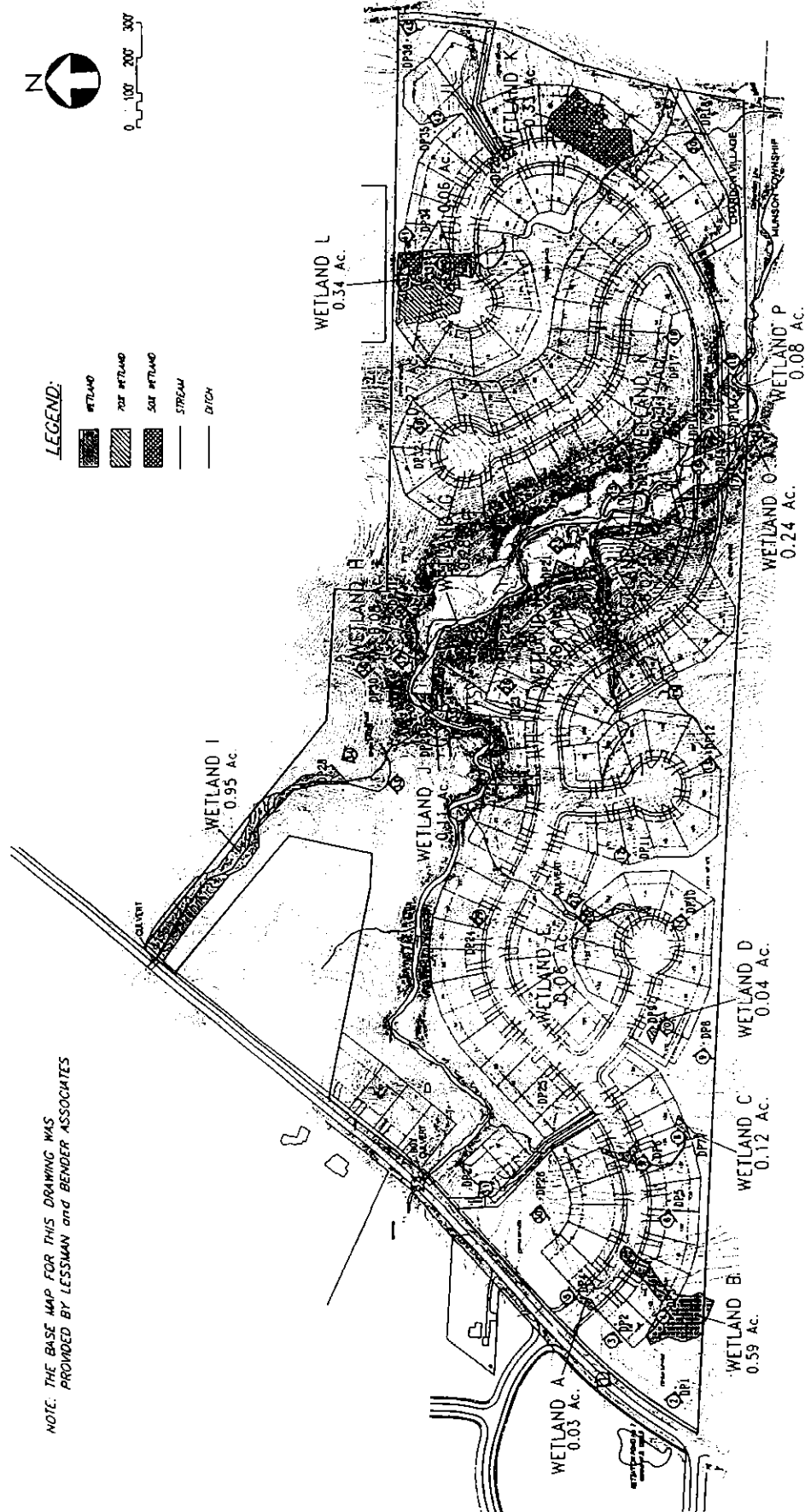


FIGURE 5 (REVISED)

Wetland Location Map
The Burlington Group Inc.
88 Acre (Approx.) Property Located
Northeast of the Intersection of
Wilson Mills and Thwing Roads
Chardon, Geauga County, Ohio

HIDDEN GLEN SUBDIVISION
Wetland Delineation

D/A Processing No. 2000-00786(1)
Geauga County, Ohio Quad: CHARDON
Sheet 2 of 9






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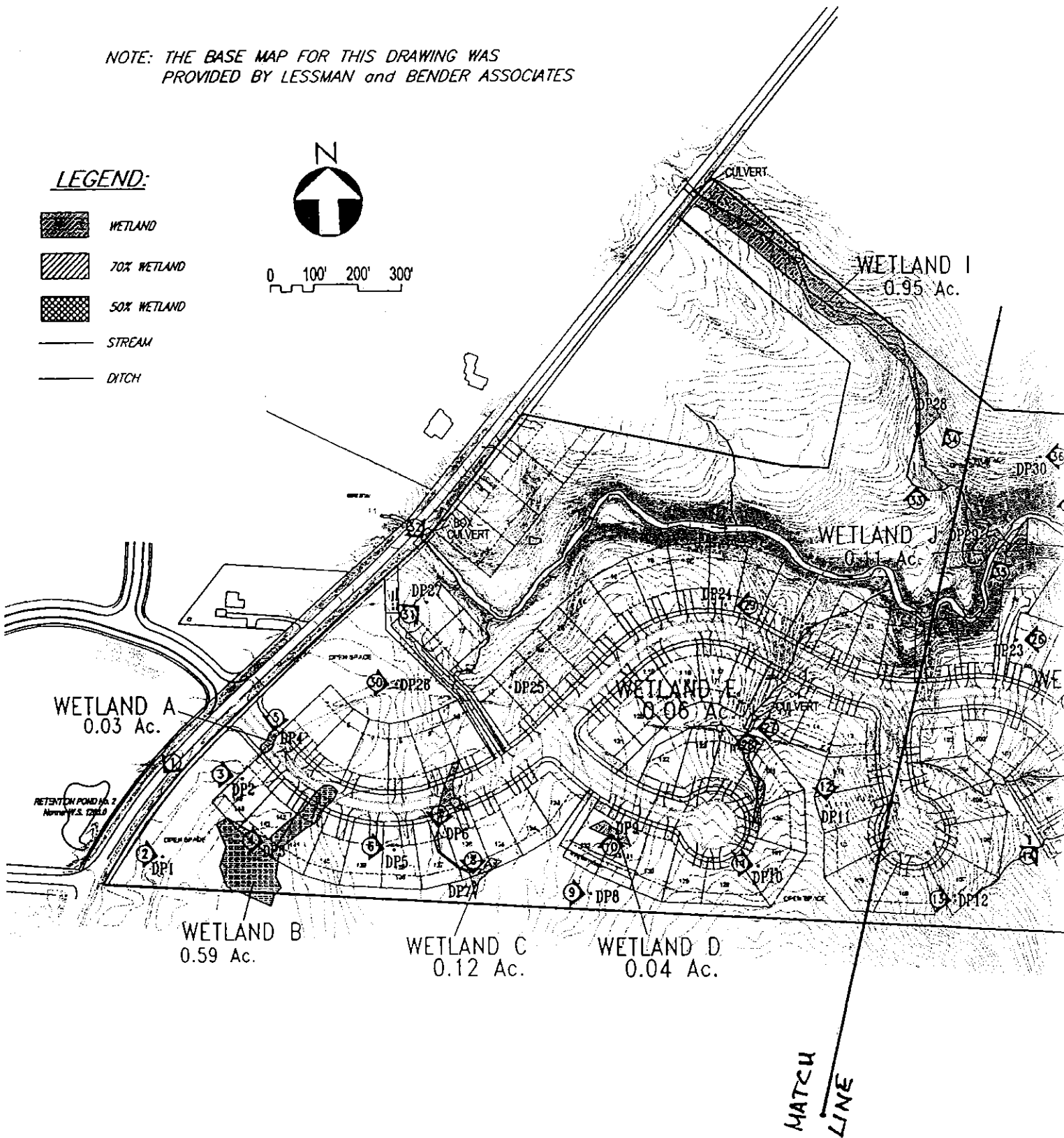
NOTE: THE BASE MAP FOR THIS DRAWING WAS
PROVIDED BY LESSMAN and BENDER ASSOCIATES

LEGEND:

-  WETLAND
-  70% WETLAND
-  50% WETLAND
-  STREAM
-  DITCH



0 100' 200' 300'








HIDDEN GLEN SUBDIVISION
Wetland Delineation Detail (1 of 2)

D/A Processing No. 2000-00786(1)
Geauga County, Ohio Quad: CHARDON
Sheet 3 of 9

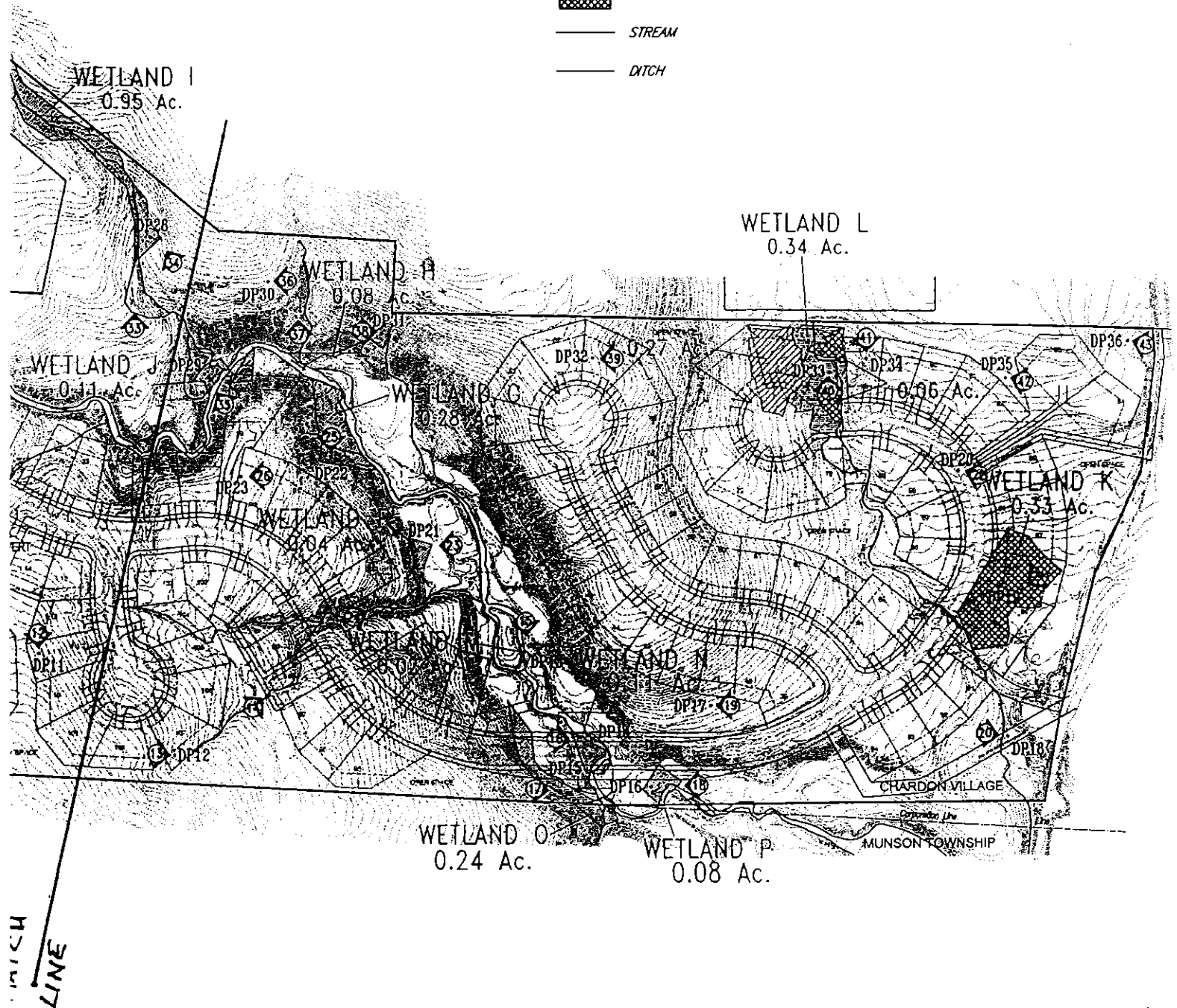
HWZ

LEGEND:

-  WETLAND
-  70% WETLAND
-  50% WETLAND
-  STREAM
-  DITCH



0 100' 200' 300'



HIDDEN GLEN SUBDIVISION
Wetland Delineation Detail (2 of 2)

D/A Processing No. 2000-00786(1)
Geauga County, Ohio Quad: CHARDON
Sheet 4 of 9

FIGURE 5 (REVISED)

Wetland Location Map
The Burlington Group Inc.
88 Acre (Approx.) Property Located
Northeast of the Intersection of
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Chardon, Geauga County, Ohio

NOTE: THE BASE MAP FOR THIS DRAWING WAS PROVIDED BY LESSMAN and BENDER ASSOCIATES

LEGEND:

- WETLAND
- IMPACTED WETLAND
- CONSERVATION EASEMENT AREA
- STREAM
- IMPACTED STREAM
- DITCH

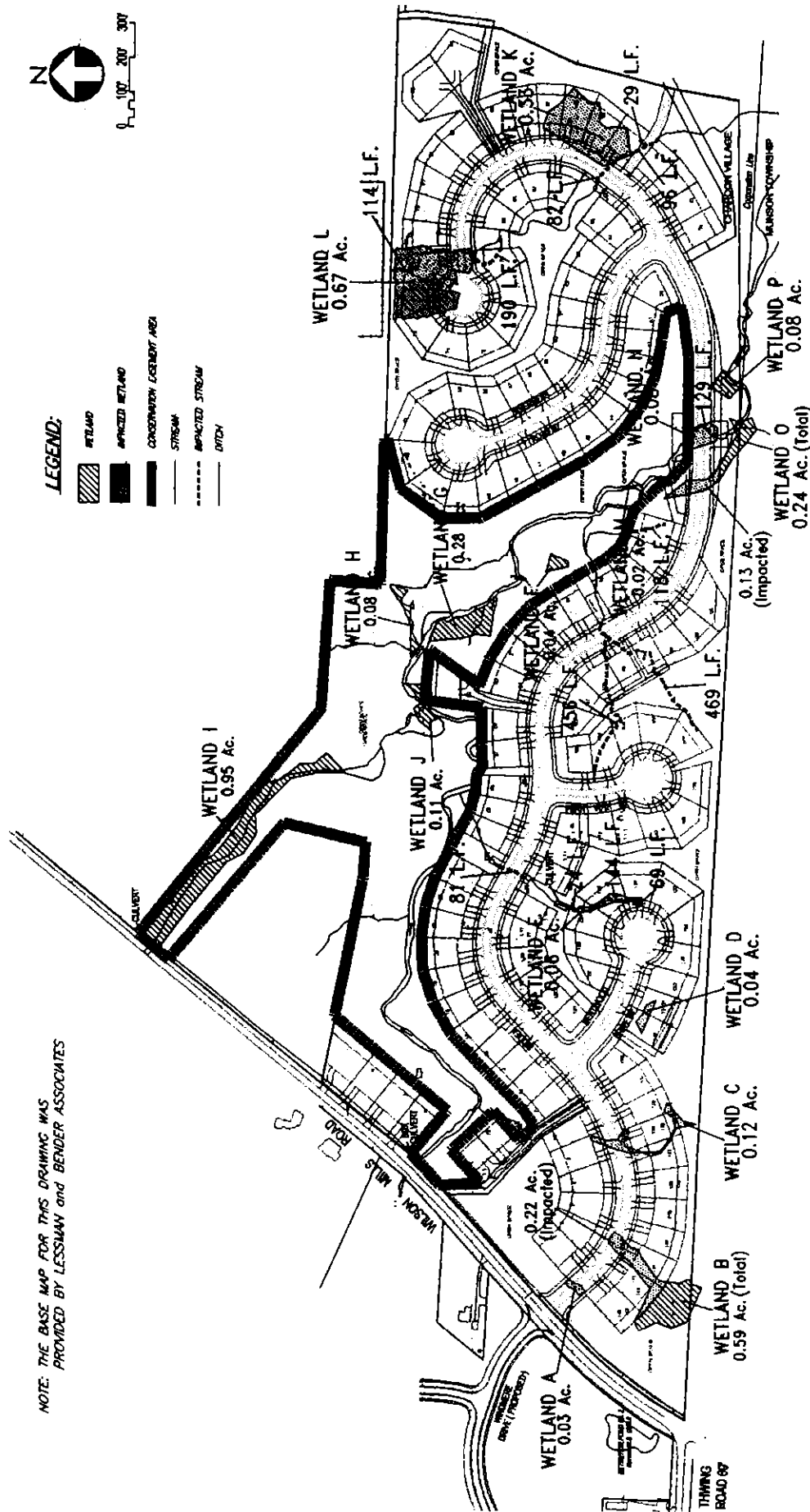
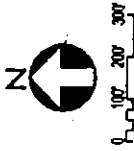


FIGURE 2

Site Plan Showing Conservation Area with Wetland and Stream Impacts
The Burlington Group Inc.
88 Acre (Approx.) Property Located Northeast of the Intersection of Wilson Mills and Thwing Roads
Chardon, Geauga County, Ohio

HIDDEN GLEN SUBDIVISION
Impact Map

D/A Processing No. 2000-00786(1)
Gauga County, Ohio Quad: CHARDON
Sheet 5 of 7







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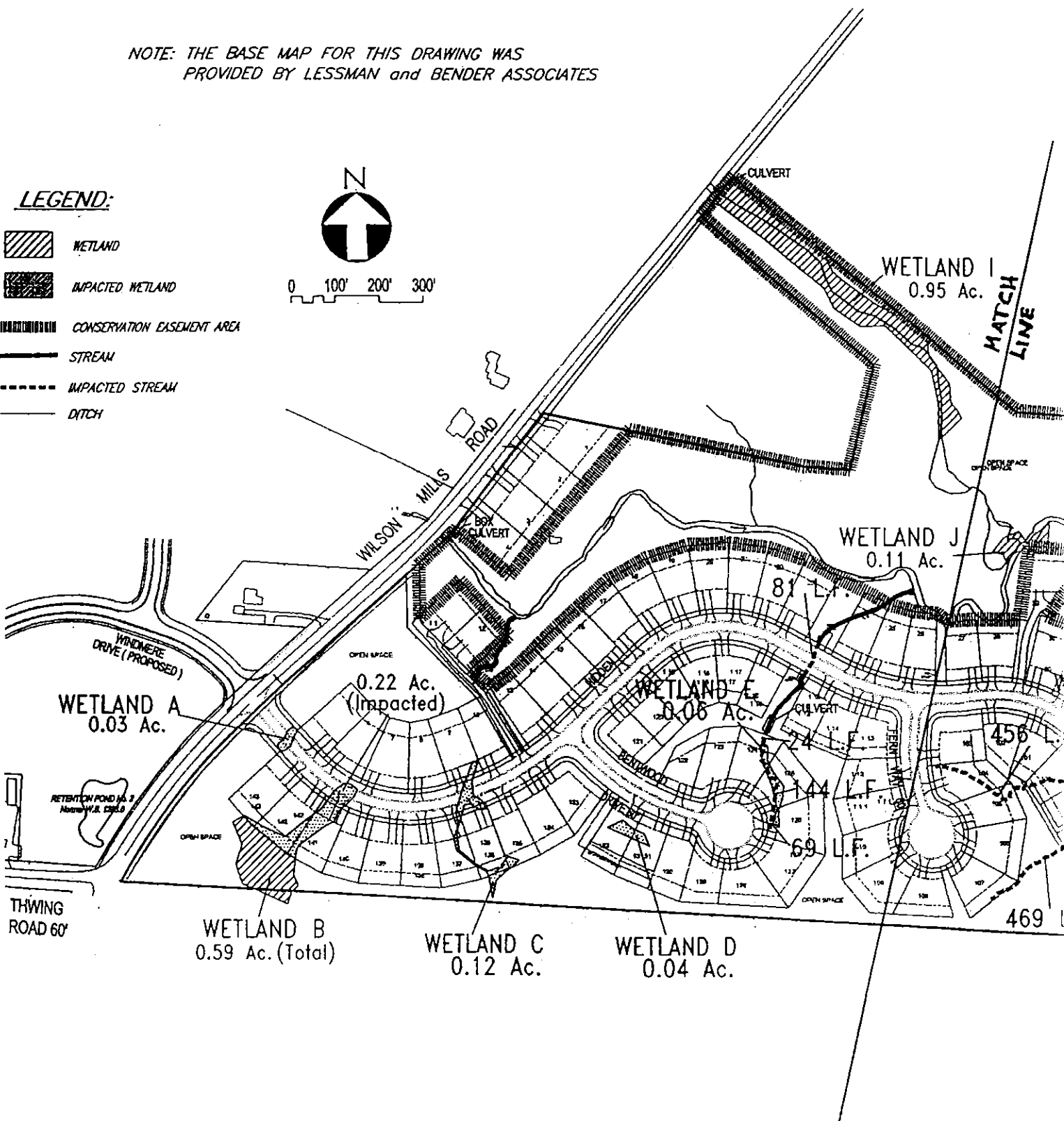
NOTE: THE BASE MAP FOR THIS DRAWING WAS
PROVIDED BY LESSMAN and BENDER ASSOCIATES

LEGEND:

-  WETLAND
-  IMPACTED WETLAND
-  CONSERVATION EASEMENT AREA
-  STREAM
-  IMPACTED STREAM
-  DITCH



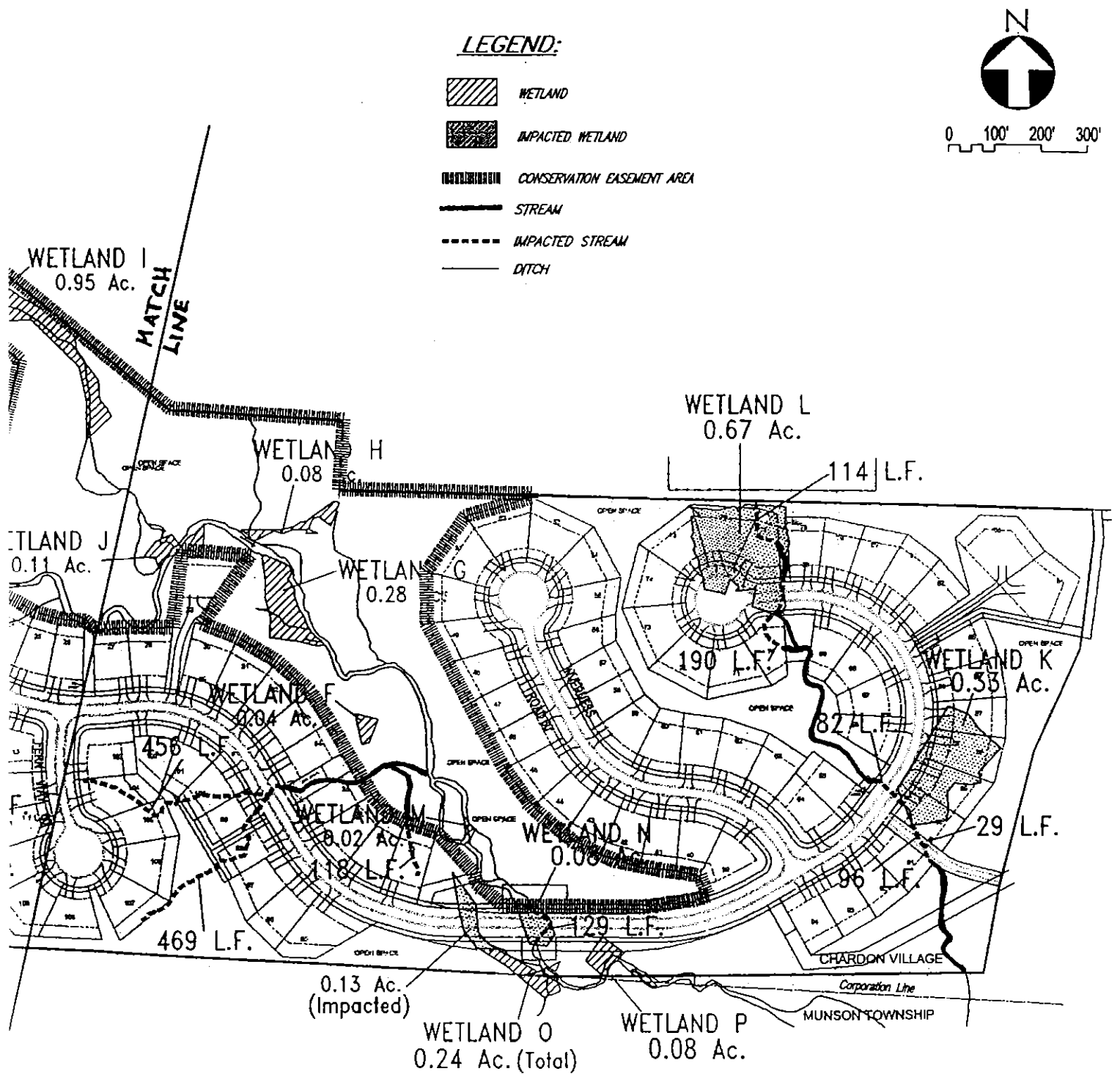
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HIDDEN GLEN SUBDIVISION
Impact Map Detail (1 of 2)

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Geauga County, Ohio Quad: CHARDON
Sheet 6 of 9





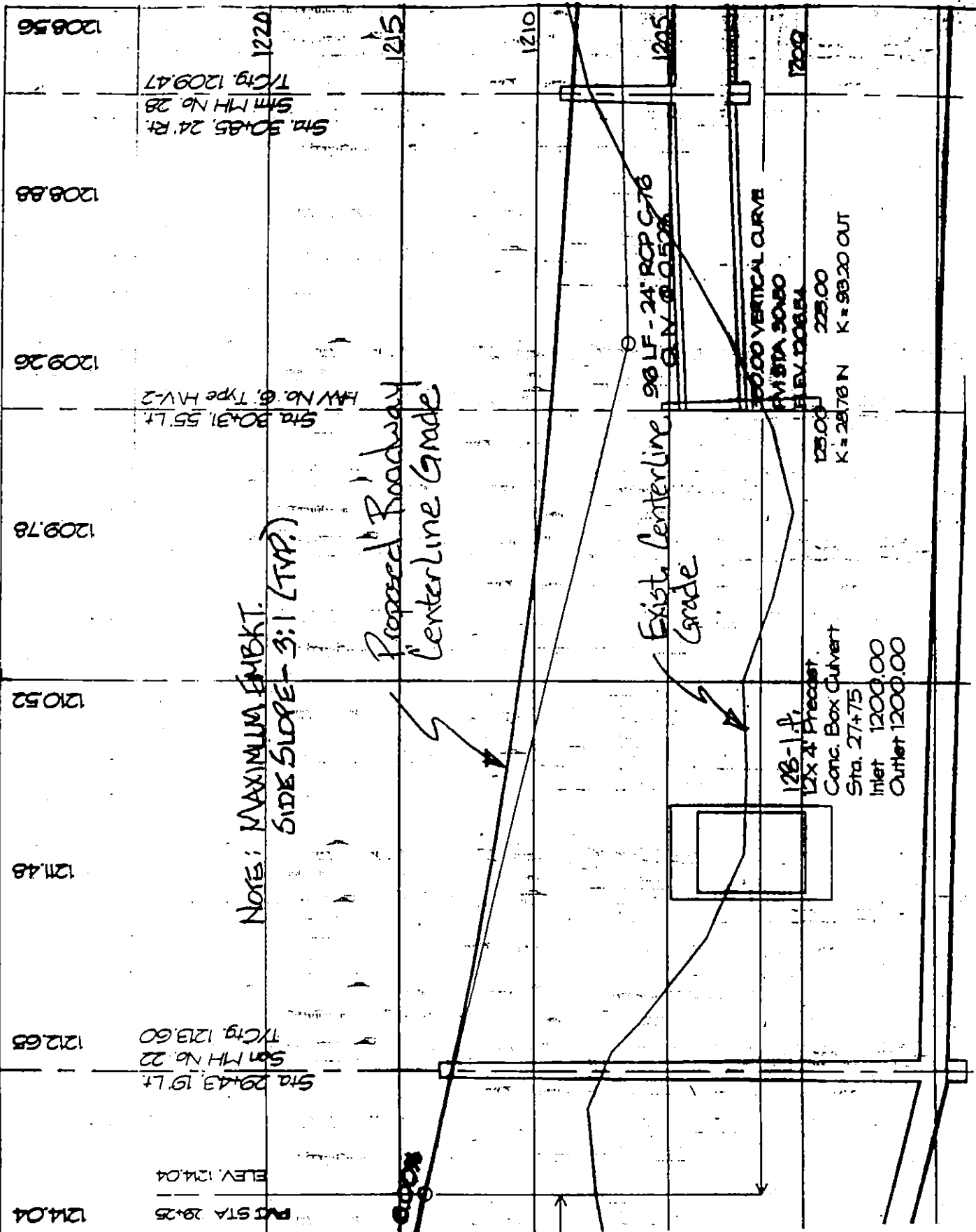
HIDDEN GLEN SUBDIVISION
Impact Map Detail (2 of 2)

D/A Processing No. 2000-00786(1)
Geauga County, Ohio Quad: CHARDON
Sheet 7 of 9

FIGURE 2

Site Plan Showing Conservation Area with
Wetland and Stream Impacts
The Burlington Group Inc.
88 Acre (Approx.) Property Located
Northeast of the Intersection of
Wilson Mills and Thwing Roads
Chardon, Geauga County, Ohio

Sta. 30+0



Sheet 5 of 5

Cross Section Details of the Main Access Road

<p>HIDDEN GLEN SUBDIVISION</p> <p>Culvert Detail</p> <p>D/A Processing No. 2000-00786(1)</p> <p>Geauga County, Ohio Quad: CHARDON</p> <p>Sheet 8 of 9</p>

Hidden Glen P.L.D.
Culvert Cross-Section
Scale: H₃ 1"=20' V₃ 1"=5'

CONCEPTUAL MITIGATION PLAN

Proposed Hidden Glen Subdivision
88 Acres (Approximate) Located Northeast of the Intersection of Wilson Mills and Thwing Roads,
Village of Chardon, Geauga County, Ohio
(H99138)

Introduction

During August, 1999, HzW Environmental Consultants, Inc. (HzW) conducted a wetland delineation on an 88 acre (approximate) property located northeast of the intersection of Wilson Mills and Thwing Roads in the Village of Chardon, Geauga County, Ohio (herein referred to as "the Property"). A site location map is presented as **Figure 1**. A total of sixteen (16) jurisdictional wetland areas, designated as Wetland A through Wetland P, totaling 3.75 acres were identified on the Property. In addition, one (1) above headwater perennial stream, two (2) above headwater intermittent streams, nine (9) ephemeral streams, and one (1) drainage ditch were also identified. One (1) perennial stream flows on site from a culvert pipe located under Wilson Mills Road and continues east through the central portion of the Property where it then flows in a southeasterly direction until it exits offsite. This perennial stream has one (1) intermittent tributary and eight (8) ephemeral tributaries associated with it. Lastly, one (1) intermittent stream with one (1) ephemeral tributary is located in the eastern portion of the Property. This stream flows in a southerly direction through Wetland L and adjacent to the southwestern portion of Wetland K before flowing offsite in the southeastern portion of the Property.

Presently, the proposed buyer and developer of the Property, The Burlington Group, Inc. is proposing to construct a residential subdivision on site. Based on the proposed site development plans, anticipated jurisdictional impacts include 1.68 acres of wetland impact and 1,551 linear feet (0.107 of an acre) of ephemeral stream impact, 321 linear feet (0.022 of an acre) of intermittent stream impact, and 129 linear feet (0.030 of an acre) of perennial stream impact. Therefore, the total anticipated impact to other "waters of the United States" is 1.84 acres.

Discussion of Conceptual Mitigation Plan

The purpose of this conceptual mitigation plan is to address regulatory requirements of the United States Environmental Protection Agency (USEPA) 40 CFR, Part 230, Section 404, an amendment of the Clean Water Act. Section 404 (b) (1) guidelines outline the steps required to assess the need to impact wetlands and regulated waterbodies. These amendments to the Clean Water Act, implemented by the USEPA and the United States Army Corps of Engineers (USACE), are designed to avoid and minimize impacts to wetlands and regulated waterbodies prior to proposing mitigation.

In accordance with USEPA guidelines, attempts were made to avoid impacts to portions of the wetland and stream areas. Based on the configuration of the Property, the proposed footprint for the subdivision, and local planning and zoning regulations, the 1.84 acres of jurisdictional impacts are unavoidable. However, 0.56 of an acre of wetland area (Wetland B, Wetland O, and Wetland P) and 1,595 linear feet of stream (0.195 of an acre) are being avoided. In addition, a conservation easement of 21 acres (approximate) is being established around the perennial stream which will preserve 3,156 linear feet (0.72 of an acre) of perennial stream, 1,529 linear feet (0.18 of an acre) of intermittent stream, 1,833 linear feet (0.13 of an acre) of ephemeral stream and 1.48 acres of wetland area (Wetland F through Wetland J, and Wetland M). **Figure 2** is a map showing the proposed development plan, the locations of the impacted and avoided wetland and stream areas, and the proposed conservation easement. (Sheets 5, 6 & 7 of 9)



HzW ENVIRONMENTAL
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HIDDEN GLEN SUBDIVISION
Mitigation Proposal

D/A Processing No. 2000-00786(1)
Geauga County, Ohio Quad: CHARDON
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